

CERTIFICATE OF MAILING, FACSIMILE OR ELECTRONIC TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is _____ being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents address below.
X being transmitted via the USPTO Electronic Filing System.

/Kenneth W. Fafrak/
Kenneth W. Fafrak

June 12, 2007
Date

Attorney Docket No. H1647

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of:

Applicant(s): Hung-Eil KIM

Serial No: 10/774,099

Filing Date: February 6, 2004

Title: MASK CD MEASUREMENT MONITOR OUTSIDE OF THE PELLICLE
AREA

Examiner: John S. Ruggles

Art Unit: 1756

Docket No. H1647US

**SUBMISSION OF SUBSTITUTE APPEAL BRIEF IN REPLY TO NOTIFICATION OF
NON-COMPLIANT BRIEF DATED MAY 17, 2007**

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Favorable reconsideration of the above-referenced brief is respectfully requested in view of the following comments.

In response to the Notification of Non-compliant Brief dated May 17, 2007, Appellants submit herewith a complete substitute Appeal Brief. It is noted that although the Notification alleges that all independent claims on appeal were not identified and mapped to the specification by page number and line number, such mappings were indeed present in the Appeal Brief as originally filed. Nevertheless, to clarify such mapping, "pg." and "ln." identifiers have been included to assist in identifying the relevant portions of the specification.

Serial No. 10/774,099

Should a petition for an extension of time be necessary for the timely reply to the outstanding Notice of Non-Compliant Appeal Brief, petition is hereby made and the Commissioner is authorized to charge any fees to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Kenneth W. Fafrak/

Kenneth W. Fafrak

Reg. No. 50,689

DATE: June 12, 2007

The Keith Building
1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113

R:\Ken\AAMD\AMDSPH1647US\ReplyNon-CompliantBrief.wpd